

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on May 2, 2006 at 7:00 p.m. after a 6:30 p.m. caucus session.

Mayor White presiding.

Mayor White led the Pledge of Alliance.

The following members of the Council answered roll call: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Fire Chief Bruce Grafton, Deputy Fire Chief Andy Adair, Police Chief Larry Metzelaars, Community Development Coordinator Kyle Gill, Public Works Director David Wortman, and City Clerk Susan O’Brien.

CONSENT AGENDA:

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Mayor White seconded by Commissioner Cline moved to approve the consent agenda consisting of minutes of the regular meeting April 18, 2006 and payroll and bills for the last half of April.

Bills and Payroll for the last half of April, 2006

General Fund

Payroll		\$	252,768.15
Bills		\$	189,581.70
	Total	\$	442,349.85

Hotel Tax Fund

Payroll		\$	464.00
Bills		\$	28,719.23
	Total	\$	29,183.23

Festival Management Fund

Bills		\$	22.29
	Total	\$	22.29

Insurance & Tort Judgment

Bills		\$	4,230.24
	Total	\$	4,230.24

Midtown TIF Fund

Bills		\$	4,663.76
	Total	\$	4,663.76

Capital Project Fund

Bills		\$	22,943.16
	Total	\$	22,943.16

Water Fund

Payroll		\$	25,076.43
Bills		\$	30,023.37
	Total	\$	55,099.80

Sewer Fund

Payroll		\$	33,575.79
Bills		\$	64,690.92
	Total	\$	98,266.71
<u>Cemetery Fund</u>			
Payroll		\$	3,704.02
Bills		\$	2,154.38
	Total	\$	5,858.40
<u>Revolving Loan Fund</u>			
Bills		\$	440.00
	Total	\$	440.00
<u>Health Insurance</u>			
Bills		\$	86,688.87
	Total	\$	86,688.87

Mayor White declared the consent agenda motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATIONS:

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

Mr. Lewis Mitchell reiterated his concerns of flooding and sidewalk disrepair. Commissioner McKenzie and Director Wortman acknowledged the flooding issues with no “quick fix”, but had a plan in place to attempt to alleviate city-wide flooding issues with the development of new reservoirs on the south side of town. Commissioner Ervin reiterated the flooding issues as city-wide and assured Mr. Mitchell that the City was not ignoring his area of town. Mr. Danny Mitchell described the area between the road and driveway as in disrepair, too. Mayor White requested Director Wortman and Commissioner McKenzie to contact Mr. Mitchell if any new solutions were determined.

Commissioner Schilling commented on an editorial from the Mattoon Journal Gazette dated April 29, 2006, where the editorial described the City of Charleston and their managerial form of government as functioning well. He further stated he believed the City of Mattoon would benefit by having the managerial form of government, which could be adopted by the Council or placed on the next election’s ballot for public consideration.

Administrator Gilmore opened discussion on a possible South Route 45 Tax Increment Financing District (TIF). Ms. Mary Wetzel of the Mattoon Chamber of Commerce expressed her beliefs that a South Route 45 TIF would be for the betterment of the community by promoting growth in that section of town. Mr. Herb Meeker of the Mattoon Journal Gazette questioned the percentage of traffic flow from South Route 45. Ms. Wetzel responded with approximately 8,500 and stated a higher traffic count could be realized by enticing people to utilize the exit once the corridor was enhanced. Mr. Chris Rankin of the Coles County Leader newspaper inquired as to local firms qualified to determine the establishment of a TIF district. Administrator Gilmore stated he did not know of an equal to PGAV, Inc. in the state. Attorney/Treasurer Owen stated there were no area TIF consultants.

NEW BUSINESS:

Commissioner Schilling seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-605, authorizing the retainer of PGAV, Inc. as consultants to the City in order to evaluate establishing a South Route 45 TIF District.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to approve Council Decision Request 2006-606, approving the acceptance of the right-of-way warranty deed conveyed from Mattoon Enterprise Park, L.L.C. for the Justrite and Progress Drives

containing 6.5 acres and .69 acres for a parking lot and 2.03 acres for a truck drive, located in Mattoon Enterprise Park.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to adopt Special Ordinance 2006-1117, declaring additional surplus property for May 6, 2006 auction to be conducted at 3121 Cedar (Old Garment Factory).

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2006-1117

**AN ORDINANCE DECLARING ADDITIONAL PERSONAL PROPERTY OWNED BY THE MUNICIPALITY SURPLUS
AND AUTHORIZING ITS SALE**

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Supplies and equipment identified on an exhibit to this ordinance are hereby declared surplus to the needs of the City of Mattoon.

Section 2. The City of Mattoon, Illinois does not express any warranty or imply any statement of condition in regard to these vehicles. Auctioneer Don Bauer will sell all other equipment declared surplus by this resolution at public auction on May 6, 2006 located at the corner of Cedar Street and 32nd Street (the former Garment Factory building) on terms acceptable to the City Attorney & Treasurer.

Section 3. The Mayor and City Clerk are hereby authorized to administratively sell and convey title to the property listed on the exhibits to this ordinance to the highest bidder without further formal consideration or approval by the City Council.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner Schilling, adopted this 2nd day of May, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 2nd day of May, 2006.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 3rd, 2006.

Mayor White opened the floor for discussion. Mr. Meeker inquired as to a list of items for the auction. Mayor White stated the list would be available at the City Clerk's Office or on the bill of sale posted on the bulletin board.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner Cline moved to adopt Special Ordinance 2006-1118, declaring surplus fireworks equipment owned by the municipality, authorizing its sale, and authorizing the Mayor to sign a contract with Central States Fireworks, Inc. for the fireworks presentations covering the next three years.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1118

AN ORDINANCE DECLARING CERTAIN FIREWORKS DISPLAYS AND EQUIPMENT OWNED BY THE MUNICIPALITY "SURPLUS PROPERTY" AND AUTHORIZING ITS DISPOSAL IN EXCHANGE FOR CONTACTED FIREWORKS DISPLAYS

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Displays and equipment identified on attachments "A" and "B" to this ordinance are hereby declared surplus to the needs of the City of Mattoon, Illinois.

Section 2. These displays and equipment are offered in exchange for contracted fireworks displays on the observed 4th of July scheduled by the Mattoon City Council for the years of 2006, 2007, and 2008. Furthermore the City of Mattoon does not express any warranty or imply any statement of condition in regard to these displays or equipment.

Section 3. The Mayor and City Clerk are hereby authorized to enter into a contract with Central States Fireworks, Inc. of Athens, Illinois to convey these displays and equipment in exchange for credit toward future contracted 4th of July fireworks observances in the years 2006, 2007, and 2008 without further consideration or approval by the Mattoon, Illinois City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Ervin seconded by Commissioner Cline, adopted this 2nd day of May, 2006, by a roll call vote, as follows:

AYES (Names) Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling.
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 2nd day of May, 2006.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien /s/ J. Preston Owen
Susan O'Brien, City Clerk J. Preston Owen, City Attorney

Recorded in the Municipality's records on May 3, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-607, authorizing the Fire Chief to promote Randy Myers to the rank of Captain and Troy Cook to the rank of Driver/Engineer in the Fire Department to fill the vacancies that were created upon the retirement of Fire Department Captain Gerry Protz. The promotions were effective May 1, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cline approve Council Decision Request 2006-608, approving the purchase of three Ford Crown Victoria Police Interceptors as replacement police patrol vehicles from Landmark Ford, Springfield, Illinois, at prices established by the State of Illinois joint purchase agreement.

Mayor White opened the floor for discussion. Mr. Meeker inquired as to the police fleet total. Chief Metzelaars stated there are eight patrol cars in which three were being replaced with this purchase. Commissioner Schilling inquired if the replaced cars would be in the auction. Chief Metzelaars stated the cars would be sold by sealed bid.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to recess to closed session at 7:31 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)); the purchase or lease of real property (5 ILCS 120(2)(c)(5)); the price for sale or lease of property (5 ILCS 120(2)(c)(6)); litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)); and collective negotiating matters of the municipality (5 ILCS 120(2)(c)(2)).

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened from closed session at 8:03 p.m..

Commissioner McKenzie opened discussion on a sewer line which lies under a house at 208 North 35th Street, affecting eight other houses. Director Wortman stated the City reviewed the situation five years prior; explained previous root issues; notified the Council of potential emergency situation; and offered to bring suggestions for a solution to the Council after estimates were conducted on re-routing the sewer line. Mr. Joe and Mrs. Amber Crites, owners of the house, made a preference for the Council to purchase the home; declared the disclosure from the previous homeowner did not include the sewer line; and stated the house cost \$81,000 over a year ago. Director Wortman announced the estimate could take two months to assess the proposals and would present the proposals to the Public Works Advisory Board.

Mayor White seconded by Commissioner Schilling moved to adjourn at 8:23 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien
City Clerk